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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,641	10/25/2005	Milan Stamenkovic	089537-000000US	7544
20350 7590 10/13/2009 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER				
AMIN, BHAVESH V				
ART UNIT		PAPER NUMBER		
3664				
MAIL DATE		DELIVERY MODE		
10/13/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/530,641

**Applicant(s)**

STAMENKOVIC, MILAN

**Examiner**

BHAVESH V. AMIN

**Art Unit**

3664

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21 - 40 is/are pending in the application.
- 4a) Of the above claim(s) 31 - 40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21 - 30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the invention must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

1. **Claims 21 – 30** are objected to because of the following informalities: The claims do not have the words "consisting/comprising" of and hence the claims currently

presented read as the preamble and so the claims contain no claim body. For the purpose of examination they claims have been read as if they were written correctly and did consist of a claim body. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 21 – 27 & 29** are rejected under 35 U.S.C. 102(b) as being anticipated by Sharp et al. US Patent 6,330,503 (hereafter referenced as Sharp).

Regarding **claim 21** where it is disclosed by Sharp to have a system which can handle objects as shown in Fig 6. Sharp also discloses their system being able to determine the location of the arm in relation to a reference system, column 7 lines 41 - 63 & column 8 lines 21 - 48. It is also disclosed by Sharp to have their system also be capable of determining where the arm is in relation to the reference system as described in column 8 lines 21 - 49 and shown in Fig 6 (GPS). This is read upon by applicant's claim to, "A method of handling objects, wherein at least one arm of a handling system for the handling of at least one object is moved in space relative to a reference system, in particular a fixed reference system, characterized in that the locations of the arm are determined by a locating method with reference to the reference system fixed by the associated locating system."

Regarding **claim 22** where it is further disclosed by Sharp in column 9 lines 32 – 59 to allow their system to also be able to determine the location of the arm using electromagnetic field to determine the position of the robot arm. This is read upon by applicant's claim to, "characterized in that at least one physical field, in particular an acoustic, optical and/or electromagnetic field, can be set up for the location of the arm."

Regarding **claim 23** where it is disclosed by Sharp to have their system be able to use a GPS as shown in Fig 6 & 7 box labeled 110. Thus this is read upon by applicant's claim to, "wherein the at least one physical field includes a unidirectional locating system comprising a global positioning system (GPS) for the locating of the arm."

Regarding **claim 24** where it is disclosed by Sharp to have their system be capable of including a robot arm as shown in Fig 6 device labeled 104. This is read upon by applicant's claim to, "characterized in that a robot arm is used as the arm."

Regarding **claim 25** where it is disclosed by Sharp to have a system that can manipulate the object it picks up, as described in column 8 lines 33 - 48 and shown in Fig 6. This is read upon by applicant's claim to, "characterized in that a gripping arm of a robot which takes up and/or moves the object is used as the arm."

Regarding **claim 26** where it is disclosed by Sharp in Fig 6 and explained in column 8 lines 21 – 48 as to how their system can manipulate the tool at the end of its arm. This is read upon by applicant's claim to, "characterized in that an exchangeable tool or a tool fixedly provided at the arm is handled as the object in the space."

Regarding **claim 27** where it is described in Fig 6 and further explained in column 8 lines 33 – 48 as to how Sharp's system can figure out the orientation of the arm independent of the main body locating system. This is read upon by applicant's claim to, "characterized in that the relative orientation of the tool to the arm is determined, in particular independently of the locating system."

Regarding **claim 29** where it is disclosed by Sharp in column 10 lines 35 – 39 as to how their system can use wireless communication to control the arm. This is read upon by applicant's claim to, "characterized in that control data of the tool are transmitted in a wireless manner, in particular inductively or by radio."

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 28** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharp in further view of Hirai et al. US Patent 5,637,973 (hereafter referenced as Hirai).

Regarding **claim 28** where all the limitations of claim 26 are disclosed by Sharp, who does not specifically disclose the further limitation of, "characterized in that the tool is supplied with energy in a wireless manner, in particular inductively or by means of an accumulator."

This is disclosed by Hirai in their summary of their invention where it describes how their system can transmit power wirelessly between a transmitter and receiver. It

would have been obvious to one of ordinary skill in the art at the time of invention to use one well know technique to improve another device, resulting in predictable results. (MPEP 2143).

5. **Claim 30** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharp in further view of McGee et al. US Patent 6,516,248 B2 (hereafter referenced as McGee).

Regarding **claim 30** where all the limitations of claim 21 are disclosed by Sharp who does not disclose the further limitation of, "characterized in that the locating system is calibrated by self-calibration." This is disclosed by McGee in their summary of their invention where they describe how their system can self calibrate. This is read upon by applicant's claim to, "characterized in that the locating system is calibrated by self-calibration." Hence it would have been obvious to one of ordinary skill in the art at the time of invention to modify Sharp by McGee to allow for efficient operation of the robot by having it self calibrate and thus reduce time and increase efficiency.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BHAVESH V. AMIN whose telephone number is (571)270-3255. The examiner can normally be reached on M - T, Friday off, 7:30am to 6:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. V. A./  
Examiner, Art Unit 3664 (10/08/2009)  
/KHOI TRAN/  
Supervisory Patent Examiner, Art Unit 3664